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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/787,016	02/24/2004	Yuzuru Suzuki	31647-7	3960
20350 7590 11/21/2007 TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			EXAMINER TAMAI, KARL I	
			ART UNIT 2834	PAPER NUMBER
			MAIL DATE 11/21/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/787,016	SUZUKI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Tamai I.E. Karl	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10/01/2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 9-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 9-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/1/07, 7/1/09/07</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida (JP 10-066294) and Masutani (JP 61-109437) and Krauth (JP 10-271753). Yoshida (JP 10-066294) teaches a cylindrical motor housing 11 with a front plate 13 and rear plate 12, with a thrust member that can be formed by stamping and bending with arms 32, 33 connected to the plate 31 by radially extending arms. Yoshida teaches the worm gearing 18 on the shaft 15 which extends from the front endplate 13. Yoshida does not teach a cylindrical hollow stator, detachable arms extending on the sides of the motor body, the distal end being bent inwardly to fit into cutouts on the front endplate, or a hump on the thrust bearing, or the thrust bearing fixedly attached to the motor body. Masutani teaches a hollow cylindrical stator 6, 10. Masutani teaches the mounting for the thrust bearing having detachable arms 4 that extend on the sides of the motor body 11 or the distal end being bent inwardly to fit into cutouts on the front endplate 17 (see figure 1). Krauth teaches a hump the thrust bearing in axial contact with the end of the shaft for adjusting the thrust bearing. It would have been obvious to a person of ordinary skill in the art at the

time of the invention to construct the motor of Yoshida with arms extending on the sides of the motor body and the distal end being bent inwardly to fit into cutouts on the front endplate to allow the thrust forces to be absorbed by the entire stator rather than just the rear plate, as shown in Masutani, and with the hollow cylindrical stator of Masutani because Yoshida suggests a hollow cylindrical stator to fit in the cylindrical housing 11, and with the hump on the thrust bearing for adjusting the bearing as taught by Krauth.

With respect to claim 5, Krauth teaches the thrust hump is integrally/fixedly formed with housing. It would have been obvious to one of ordinary skill in the art at the time of the invention to fixedly attach the arm segments of Yoshida to reducing assembly time as taught by Krauth and since it has been held that "the use of a one piece construction...would be merely a matter of obvious engineering choice." (In re Larson, 340 F.2d 965, 968, 144 USPQ 347, 349 (CCPA 1965)).

3. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida (JP 10-066294) and Masutani (JP 61-109437) and Krauth (JP 10-271753), in further view of Ueno et al. (Ueno)(US 5811903). Yoshida, Masutani and Krauth teach every aspect of the invention except embossed or recessed. Ueno teaches that the motor body has, at the outer surface thereof, an embossed (as seen in Fig. 13) or recessed guiding mechanism (as seen in Fig. 14), to which portions of the thrust member are fitted. It would have been obvious to a person of ordinary skill in the art at the time of

the invention to construct the motor of Yoshida, Masutani, and Krauth with the embossed or recessed guides of Ueno to maintain the positioning of the thrust bearing, as shown in Ueno.

***Response to Arguments***


4. Applicant's arguments with respect to claims 1-5 and 9-12 have been considered but are moot in view of the new grounds of rejection.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karl Tamai at (571) 272 - 2036.

The examiner can be normally contacted on Monday through Friday from 8:00 am to 4:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Darren Schuberg, can be reached at (571) 272 - 2044. The facsimile number for the Group is (571) 273 - 8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Karl I Tamai  
PRIMARY PATENT EXAMINER  
November 15, 2007

  
KARL I. TAMAI  
PRIMARY EXAMINER